

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

LORRAINE JEREZ,

Plaintiff,

vs.

AARON NEWTON,

Defendant.

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Case No. 4:07CV1699 RWS

**MEMORANDUM AND ORDER**

This matter is before me on plaintiff's response to the Court's Order to Show Cause. In support of his request to the Court not to dismiss the complaint for failure to obtain timely service, plaintiff states that defendant's lawyer has agreed to waive service for his client and will file the waiver and a responsive pleading once his application for admission to this Court has been approved. The Clerk's office informs me that defense counsel's application has been approved and that he will be able to file documents electronically once he pays the appropriate fee and gets sworn in to practice before this Court. For this reason, I will afford plaintiff's counsel a brief extension of time, up to and including April 1, 2008, to demonstrate that the complaint has been served. If defense counsel has failed to file the waiver and answer the complaint by that date, plaintiff's counsel must obtain service according to Rule 4 of the Federal Rules of Civil Procedure, but the costs of service will be

imposed upon defendant. Plaintiff's counsel shall notify defense counsel of this Order.

Accordingly,

**IT IS HEREBY ORDERED** that defendant shall file his waiver of service and responsive pleading to the complaint by April 1, 2008, or plaintiff must obtain service according to Rule 4 of the Federal Rules of Civil Procedure, with costs of service to be imposed upon defendant.

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 27th day of March, 2008.